

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 OSSIE LEE SLAUGHTER,

9 Plaintiff,

10 v.

11 DAN WHITE, *et al.*,

12 Defendants.

Case No. C16-1067-RSM-JPD

ORDER GRANTING DEFENDANTS'
MOTION FOR A MORE DEFINITE
STATEMENT

13
14 This is a civil rights action brought under 42 U.S.C. § 1983. This matter comes before
15 the Court at the present time on defendants' motion for a more definite statement. Plaintiff
16 opposes defendants' motion. The Court, having considered defendants' motion, plaintiff's
17 response thereto, and the balance of the record, hereby ORDERS as follows:

18 (1) Defendants' motion for a more definite statement (Dkt. 59) is GRANTED.
19 Defendants ask that plaintiff be directed to file a more definite statement to reflect the Court's
20 prior orders limiting plaintiff's claims to those asserted against five of the thirty-three defendants
21 identified by plaintiff in his second amended complaint. Defendants cite difficulties in
22 navigating plaintiff's voluminous second amended complaint, and the need for more clarity
23

ORDER GRANTING DEFENDANTS' MOTION
FOR A MORE DEFINITE STATEMENT - 1

1 before filing an appropriate responsive pleading. Plaintiff objects to defendants' request for a
2 more definite statement on the grounds that the Court has already deemed the claims asserted
3 against the five remaining defendants sufficient to proceed. (*See* Dkt. 61.)

4 While this Court, upon screening plaintiff's second amended complaint, determined that
5 plaintiff had sufficiently alleged causes of action against five of thirty-three defendants, the
6 pleading is somewhat unwieldy and defendants' request for more clarity with respect to the
7 claims remaining in this action is entirely reasonable. Accordingly, plaintiff is directed to file,
8 not later than **October 2, 2017**, a more definite statement detailing his claims against **only** the
9 five defendants remaining in this action; *i.e.*, Brittany West, Lance Rogers, S. Ewing, P.A.
10 Shirley¹, and C/O Jones. Plaintiff is reminded that he has been permitted to proceed against C/O
11 Jones only to the extent that plaintiff alleges this defendant placed him in any unsanitary cell and
12 failed to take corrective action when plaintiff complained about the conditions. (*See* Dkt. 44 at
13 12.) Plaintiff is also cautioned not to include any exhibits with his more definite statement.

14 (2) Defendants' answer, or other responsive pleading, to plaintiff's second amended
15 complaint will be due not later than **thirty (30) days** from the date on which plaintiff's more
16 definite statement is filed.

17 //

18 //

19
20 ¹ There appears to be some confusion as to the actual identity of defendant P.A. Shirley. Due to a clerical
21 error, this defendant appears on the docket as "Shirley Lee Stemler" and the docket reflects that this defendant has
22 been dismissed. However, plaintiff never identified any such defendant in his various pleadings, though he did
23 identify a defendant P.A. Shirley and a defendant Lee Stemler. Defendant Stemler has been dismissed from this
action, defendant P.A. Shirley has not. Plaintiff clarifies in his response to defendants' motion for a more definite
statement that P.A. Shirley is actually Sheryl Allbert, a Physician Assistant at the Monroe Correctional Complex.
The Clerk is directed to add Sheryl Allbert to the docket as a defendant in this action. The Court will issue a
separate order directing service on Sheryl Allbert to ensure that this defendant is properly served in this action.

(2) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and to the Honorable Ricardo S. Martinez.

DATED this 17th day of August, 2017.

James P. Donohue
 JAMES P. DONOHUE
 Chief United States Magistrate Judge